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REGULAR MEETING OF
NOVEMBER 9, 2021

In accordance with Section 5(4) of the Michigan Open Meetings Act, MCL 15.265(4),
The Board of Zoning Appeals will hold its meetings by **ZOOM** you can either call in or join by web.
We encourage the public to use one of the following:

The Telephone Numbers Are:
(312) 626-6799 or (213) 338-8477, Meeting ID: 82469728510

If You Are Joining By Web The Link Is:
<https://cityofdetroit.zoom.us/j/82469728510>

If you need additional information regarding this meeting, you can contact either
James Ribbron: (313) 939-1405 or Thomina Davidson: (313) 224-3432

DOCKET

- I. OPENING:
 - A. CALL TO ORDER.....9:00 A.M.
 - B. ROLL CALL.....
- II. PROCEDURAL MATTERS –
- III. MINUTES:
 - A. APPROVAL OF MINUTES: November 2, 2021
- IV. COMMUNICATIONS:
- V. MISCELLANEOUS BUSINESS:
- VI. PUBLIC HEARING

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including language translation and reasonable ADA accommodations. Please contact the Civil Rights, Inclusion and Opportunity Department at **(313) 224-4950**, through the TTY number 711, or email at crio@detroitmi.gov to schedule these services.

This Meeting is open to all members of the public under Michigan’s Open Meetings Act

9:15 a.m. **CASE NO.:** 60-21 aka SLU2021-00084

APPLICANT: Steven Flum, AIA

LOCATION: 1400 Porter (aka 1408 Porter) between Trumbull and 8th in a B4 zone (General Business District)-City Council District #6

LEGAL DESCRIPTION OF PROPERTY: N PORTER 11&12 BLK 72 WOODBRIDGE FARM L1 P146-7 PLATS, W C R 6/12 ALSO THAT PT OF COL D BAKERS FARM LYG N & ADJ PORTER ST & W & ADJ EIGHTH ST L17 P272-3 DEEDS W C R 6/11 97.35 X 130

PROPOSAL: Steven Flum, AIA request dimensional variances to Construct a 934 square foot Commercial Outdoor Entertainment pavilion with soundstage and 320 square foot enclosure with Alcohol Consumption on the Premises in a B4 zone (General Business District). The Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department; a) Insufficient off-street parking: (13 spaces required for the 2,500 sq./ft. building; 9 spaces proposed, 4 spaces deficient); and b) Insufficient lot size for the gas station (16,000 sq./ft. required for 3 pump islands; 11,631 sq./ft. proposed, 4,369 sq./ft. deficient); and c) Deficient front setback for the proposed gas station building (40 feet required; zero feet proposed, 40 feet deficient), Your site plan show a new thirty foot wide curb cut and approach from Grand River Avenue onto the property along with landscaped buffer along the right of way. However, Grand River Avenue is under the jurisdiction of the Michigan Department of Transportation ("MDOT"), thus a construction permit is required from MDOT for all new curb-cuts, right of way improvements, etc., prior to issuance of a building permit from BSEED; and Per the Detroit Zoning Ordinance, wheel stops or curbing that are at least six (6) inches in height shall be installed at the head of parking spaces to protect walls, fences, sidewalks, poles, structures, or pedestrian walkways shall be provided at time of permit; and Per Section 50-12-273 ("Motor vehicle filling stations; refuse storage areas"): (1) All outdoor trash receptacles, except those that are intended for customer use, shall be located within an enclosure which is not less than six feet in height, be constructed of the same materials as the building's masonry walls or of the screen wall, and have opaque gates of the same height; and (2) Trash receptacles for customer use shall be provided at each pump island and at the customer entrance to the building. (Sections 50-4-101 Jurisdiction Over Appeals of Administrative Decisions and 50-4-121. Approval criteria.)AP

10:15 a.m. **CASE NO.:** 59-21

APPLICANT: Frederick Ideozu

LOCATION: 2713, 2721 & 2737 W. Grand River between Spruce and Temple in a B4 zone (General Business District)-City Council District #6

LEGAL DESCRIPTION OF PROPERTY: S GRAND RIVER PT OF 6 DESC AS FOLS BEG AT S E COR OF LOT 6 TH 35.87 FT NWLY ALG E LINE TH 52.85 FT SWLY TO A PTE 8.50 FT AT R A FROM LOT LINE BETW LOTS 6 & 7 TH 37.00 FT SWLY PARA TO SD LOT LINE TO NLY LINE OF ADJ ALLEY TH 24.00 FT SELY ALG NLY LINE OF S; S GRAND RIVER 8 BLK 19 CRANE & WESSONS L44 P10 DEEDS, W C R 6/26 40 X 100

PROPOSAL: Frederick Ideozu request dimensional variances to construct a 2,500 square foot Motor Vehicle Filling Station with retail and three pump islands under a canopy on the 11,631 square foot site APPROVED w/Conditions in BSEED SLU2020-00128 in a B4 zone (General Business District). The Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department; a) Insufficient off-street parking: (13 spaces required for the 2,500 sq./ft. building; 9 spaces proposed, 4 spaces deficient); and b) Insufficient lot size for the gas station (16,000 sq./ft. required for 3 pump islands; 11,631 sq./ft. proposed, 4,369 sq./ft. deficient); and c) Deficient front setback for the proposed gas station building (40 feet required; zero feet proposed, 40 feet deficient), Your site plan show a new thirty foot wide curb cut and approach from Grand River Avenue onto the property along with landscaped buffer along the right of way. However, Grand River Avenue is under the jurisdiction of the Michigan Department of Transportation ("MDOT"), thus a construction permit is required from MDOT for all new curb-cuts, right of way improvements, etc., prior to issuance of a building permit from BSEED; and Per the Detroit Zoning Ordinance, wheel stops or curbing that are at least six (6) inches in height shall be installed at the head of parking spaces to protect walls, fences, sidewalks, poles, structures, or pedestrian walkways shall be provided at time of permit; and Per Section 50-12-273 ("Motor vehicle filling stations; refuse storage areas"): (1) All outdoor trash receptacles, except those that are intended for customer use, shall be located within an enclosure which is not less than six feet in height, be constructed of the same materials as the building's masonry walls or of the screen wall, and have opaque gates of the same height; and (2) Trash receptacles for customer use shall be provided at each pump island and at the customer entrance to the building. (Sections 50-4-101 Jurisdiction Over Appeals of Administrative Decisions and 50-3-171 thru 50-3-281-General Approval Criteria.)AP

11:15 a.m. **CASE NO.:** 44-20

APPLICANT: Linda Yaldo

LOCATION: 18601 thru 18635 Van Dyke between Hildale and Quinn in a B4 zone (GENERAL BUSINESS DISTRICT)-City Council District #3

LEGAL DESCRIPTION OF PROPERTY: W VAN DYKE 2&3 EXC VAN DYKE AVE AS WD MCNAMARAS SUB L34 P79 PLATS, W C R 15/210 70 X 91.42A, W VAN DYKE 4 EXC VAN DYKE AVE AS WD MCNAMARAS SUB L34 P79 PLATS, W C R 15/210 35 X 91.44A, W VAN DYKE 1 EXC VAN DYKE AVE AS WD PACKARD PARK SUB L28 P63 PLATS, W C R 15/206 30 X 91.45A, W VAN DYKE 2 EXC VAN DYKE AVE AS WD PACKARD PARK SUB L28 P63 PLATS, W C R 15/206 30 X 91.43A, W VAN DYKE 3&4 EXC VAN DYKE AVE AS WD PACKARD PARK SUB L28 P63 PLATS, W C R 15/206 60 X 91.42A(PIN 15005357, 15005358, 15005359, 15005360, 15005361-2)

PROPOSAL: Linda Yaldo appeals the decision of the Building, Safety, Engineering SLU2018-00025 which denied the request to expand an existing Major Motor Vehicle Repair Facility building from 5,100 square feet to 6,300 square feet and add a Used Motor Vehicle Sales lot on vacant land in a B4 zone (GENERAL BUSINESS DISTRICT). Appeals of the Buildings and Safety Engineering Department on Conditional Use permit applications shall be taken to the Board of Zoning Appeals within fourteen (14) days of the date of the department's decision, also, the Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses; A) The conditional use involves activities, processes, materials, equipment or conditions of operation that will be detrimental to the physical environment or to public health and general welfare. At the time of inspection, the subject property was in violation of various property maintenance codes including illegal outdoor storage of inoperable vehicles on the public right of way, open dumpster located illegally on the public berm, and excessive weed and foliage overgrowth on the vacant land owned by the applicant. B) Despite owning the business for over sixteen years, the applicant has failed to fully comply with BSEED Grant #06-04 which include the illegal storage of vehicles awaiting repair on East Hildale public right of way (Condition #. 19), absence of perimeter screening (Condition #. 24) and the absence of additional off-street parking which specified that unless additional off-street parking is secured within one hundred feet of the subject site, the use shall become null and void (Condition #. 11), thus the proposed expansion could pose an undue hardship and nuisance to the adjacent residential neighborhood; Adjourned February 23, 2021. (Sections 50-4-101 Jurisdiction over Appeals of Administrative Decisions and 50-3-281 General approval criteria.)AP

- VII. PUBLIC COMMENT / NEW BUSINESS
Next Hearing Date: November 16, 2021
- VIII. ADVISEMENTS / OLD BUSINESS
- IX. MEETING ADJOURNED